

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.2480 OF 2017

Sitaram Dattatraya Wani,
Age : 61 years, Occ. Retired Teacher,
R/o At post Daulawadgaon, Tq. Ashti,
Dist. Beed

..PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
Finance Department,
Mantralaya, Mumbai – 32
2. The Sr. Accounts Officer,
office of the Accountant General,
(A & E)-II, Maharashtra,
Nagpur
3. The District Treasury Officer,
Beed
4. The Education Officer (Secondary),
Zilla Parishad, Beed

..RESPONDENTS

Mr T.M. Tandale, Advocate for petitioner;
Mrs M.A. Deshpande, A.G.P. for respondents no.1, 3 & 4

**CORAM : SHANTANU S. KEMKAR &
NITIN W. SAMBRE, JJ.**

DATE : 18th August, 2017

P.C.

Feeling aggrieved by the order dated 19th December, 2016 (Exh.F)
as also the order dated 4th January, 2017 (Exh.G) passed by the Education
Officer and Treasury Officer respectively, the petitioner has filed this
petition.

(2)

2. According to the petitioner, while deciding his representation the Education Officer has not taken into consideration the Government Resolution dated 5th May, 2009 (Exh.C) and the calculation as per the example given in the said Government Resolution. According to the petitioner, the decision on the representation was required to be taken by the said authorities keeping in view the said Government Resolution dated 5th May, 2009 (Exh.C) and Hakim Committee's report.

3. Having considered submissions made by the learned Counsel for the petitioner and learned A.G.P., we are of the view that this petition requires to be disposed of by directing the Education Officer and the Treasury Officer to decide the petitioner's claim afresh.

4. The petitioner is given liberty to submit a detailed representation with supporting documents before the said authorities within four weeks from today. On receipt of the same, the said authorities shall re-consider the petitioner's claim and take a fresh decision on it uninfluenced by the orders (Exh.F) and (Exh.G).

5. The decision as aforesaid be taken by the Education Officer and the District Treasury Officer within eight weeks from the date of receipt of such representation.

6. With the aforesaid directions, the petition stands disposed of.

(NITIN W. SAMBRE, J.)

(SHANTANU S. KEMKAR, J.)

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